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COMMITTEE ON RELATIONS WITH
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LETTER DATED 11 MARCH 1997 FROM THE PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION TO THE UNITED NATIONS ADDRESSED TO THE CHAIRMAN OF THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY

I have the honour to refer to yesterday's meeting of the Committee on Relations with the Host Country, in which a decision was made to establish an open-ended working group to study all aspects of the use of diplomatic motor vehicles and parking and related matters.

In this connection, I kindly request you to make the necessary arrangements to ensure that the New York City Diplomatic Parking Programme, introduced by the City (see annex), is issued as an official document of the Committee before the first meeting of the working group.

(Signed) Sergey LAVROV

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ANNEX

New York City Diplomatic Parking Programme

1. The parking programme would apply only to "D", "A" and "C" plate vehicles. "S" plate vehicles will remain subject to the full range of New York City parking enforcement measures.

2. The New York City Commission for the United Nations and Consular Corps will ensure that each United Nations mission and each consulate has in place its allocated number of parking spots (currently, two for the office and one for the Ambassador's or Consul General's residence).

3. The New York City Department of Finance will designate a person or office in charge of reviewing tickets issued to diplomatic vehicles to ascertain which tickets are valid and which were incorrectly issued and should be dismissed. Both amenable and non-amenable offences would be included for review.

4. The New York Police Department will provide a telephone "hot line" where missions and consulates may report unauthorized vehicles in their diplomatic parking areas. Those unauthorized vehicles would be subject to towing.

5. The diplomatic towing programme currently in place will remain. Towing will continue for health and safety violations.

6. The New York City Department of Finance will provide a monthly printout of any summonses outstanding against "D", "A" and "C" plate vehicles to the New York Regional Office of the Office of Foreign Missions, New York, and to each mission and consulate involved. A printout for United Nations mission vehicles will also be sent to the Office of Host Country Affairs at the United States Mission to the United Nations. Violations will be categorized as outstanding for 30, 60 or over 120 days.

7. Each driver will be expected either to pay the applicable fine or to turn the summons in to the New York City Department of Finance with a "not guilty" plea. A decision will then be made by a designated officer of the Department of Finance, which will also ensure that an appeals procedure is in place.

8. A scofflaw will be defined as anyone who has one or more outstanding violations issued against his/her car for a period of 12 months or more from the date of issuance of the violation. Scofflaw status will include collateral vehicles registered to individual diplomats.

9. For any vehicle with scofflaw status, as defined in paragraph 8, the Office of Foreign Missions, New York, will notify the vehicle registrant that the vehicle cannot be legally operated until that status is removed by the adjudication of the outstanding violation(s). Upon such notification, the State Department will request that the diplomatic plates be returned until the scofflaw status is removed. Should a vehicle with scofflaw status be towed, the diplomatic plates will be removed, and it will not be released for operation by the owner without evidence of valid insurance and State Department registration.

The owner may have the vehicle towed from the impoundment facility at his/her expense; however, the vehicle may not be operated until it is registered in conformity with State Department regulations.

10. This provision applies to the registrant of any vehicle identified by the City of New York as having received one or more violations for parking in front of a fire hydrant during the period from 1 January 1997 and the start of this programme. Such vehicle owners/registrants will be notified by the State Department of the existence of an outstanding fire hydrant violation and requested to satisfy it. Anyone so notified who receives any additional health and safety violation upon the commencement of this programme will be subject to scofflaw status at the point where the summons issued pursuant to this programme remains unadjudicated for 30 days. At that point, the scofflaw will be required to satisfy any outstanding fire hydrant violation for which the notification described herein was previously provided as well as the current violation.

11. This programme will go into effect as soon as possible, but no later than 30 days from the date on which an agreement is reached between the City of New York and the Department of State.

12. Prior to initiation of this programme, it will be the subject of a meeting of the United Nations Committee on Relations with the Host Country and a series of briefings to the diplomatic community by the United States Mission, the Office of Foreign Missions and appropriate New York City officials. Official notification to the diplomatic community will be by letter from the City of New York and by diplomatic note from the United States Mission to the United Nations representing the Department of State.